

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VISIBLE SYSTEMS CORPORATION,

Plaintiff

v.

Civil Action No. 04-CV-11610-RGS

UNISYS CORPORATION,

Defendant

AFFIDAVIT OF STEPHEN H. GALEBACH

Stephen H. Galebach hereby deposes and says as follows:

1. I am lead counsel in the above-captioned case. I make the statements contained herein based on my personal knowledge.
2. The taxable costs described herein are accurately stated to the best of my knowledge and belief, and have been necessarily incurred in the conduct of this action.
3. Fees of the Clerk are \$150.00, as reflected in Docket Entry No. 1 in this action.
4. Fees of court reporter James Gibbons for transcripts necessarily used in the case are a total of \$4,994.25 (comprising \$4,797.10 for daily trial transcript per invoice Ex. 2 hereto; \$161.46 for transcript of charge conference, invoice Ex. 3 hereto; and \$35.69 for transcript of summary judgment hearing, invoice Ex. 4 hereto).
5. Fees for trial witnesses totaling \$ 6,916.29 for travel expenses and \$2,144.00 for lodging – constituting travel expenses as documented on Visible Systems Corporation credit card monthly statement Ex. 5 hereto, of \$359.40 plus \$218.80 for trial witness William Earl to travel from Phoenix AZ to and from Springfield MA; \$618.80 for testifying expert witness Malcolm Lane to travel from Washington, DC to and from Springfield, MA; \$618.80 for trial witness Alan Perkins to travel from Washington, DC

to and from Springfield, MA; \$688.80 for trial witness Rainer Schoenrank to travel from Oakland CA to and from Boston, MA; mileage from Boston Logan Airport to Springfield MA of \$89.24 for private vehicle transport of R. Schoenrank (92 miles x 2 x \$0.485); mileage from Lexington MA to Springfield MA for trial witnesses G. Cagliuso, J. Nash, and M. Cesino totaling \$244.44 (3 x 2 x 84 miles x \$0.485); travel expenses of trial witness Clive Finkelstein from Perth Australia to and from Boston MA, documented by Invoice Ex. 6, whose Australian dollar figure of 4,759 converts to US \$4,078.01 by using the exchange rate of .8569 as of July 6, 2007, which I have verified using the Historic Exchange Rates function at www.x-rates.com; plus lodging expenses documented in Visible Systems Corp. credit card monthly statement Ex. 6 reduced to US Government per diem of \$134.00 for Springfield MA 2007, calculated at 4 days G. Cagliuso, 2 days J. Nash, 2 days M. Cesino, 2 days C. Finkelstein, 3 days M. Lane, 1 day each for R. Schoenrank, W. Earl, and A. Perkins = 16 days x \$134.00 = \$2,144.00.

6. Fees for copying of exhibits, \$681.14 for exhibits in opposition to defendant's summary judgment motion, as reflected in the invoice appended as Ex. 7; and \$378.00 for 1,800 pages of trial exhibits, times 3 copies of each, produced in-house at \$0.07 per page; totaling \$1,059.14 for copying.

7. Fees for reporter's transcripts of depositions necessarily obtained for use in the case in the total amount of \$9,096.33, comprising \$6,611.20 reflected in Ex. 8, O'Brien Levine invoice for depositions of Unisys witnesses R. Welborn, E. Raftery, D. Wright, F. Dillman, S. Malhotra, D. Cavuoto, and Visible Systems Corp. witnesses S. Nash and Y. Fang; and a total of \$2,141.38 paid to Shea Court Reporting for copies of depositions by defendant of Visible witnesses M. Cesino, J. Nash, S. Nash, and G. Cagliuso; and

\$343.75 paid to Debra G. Johnson Associates in connection with deposition of Unisys witness J. McGrath on December 13, 2006.

I hereby declare subject to penalty of perjury that the foregoing is true and correct.

November 23, 2007

/s/ Stephen H. Galebach
Stephen H. Galebach